

PUBLIC NOTICE

May 21, 2007

Hamilton County Circuit and Superior Courts Proposed Local Court Rule Change

The following proposed additions, amendments and/or deletions to the Hamilton County Local Court Rules which do not affect case filings are posted for public comment:

LR29-CR00-307. Automatic Discovery
307.10 GENERAL PROVISIONS: (Amended)

The above rule is on a separate page and deletions are shown by ~~striking~~ and new text is shown by **bold underlining**.

Comments will be received until June 30, 2007, and should be sent to one of the following addresses:

Administrator of the Courts
Hamilton County Courts
One Hamilton County Square, Suite 313
Noblesville, IN 46060-2232

E-Mail: ops@co.hamilton.in.us

Following a review of the public comments, the Hamilton County courts will adopt, modify, or reject the proposed local rule change by July 31, 2007.

If approved, the effective date for this rule, will be August 1, 2007.

LR29-CR00-307. AUTOMATIC DISCOVERY

307.10 GENERAL PROVISIONS:

a. ~~Upon~~ **Within thirty (30) days from** the entry of an appearance by an attorney for a defendant, **or from the formal filing of charges, whichever occurs later,** the State shall disclose ~~and furnish~~ all relevant items and information under this rule to the defendant ~~within thirty (30) days from the date of the appearance,~~ subject to Constitutional limitations and such other limitation as the Court may specifically provide by separate order, and the defendant shall disclose ~~and furnish~~ all relevant items and information under this rule to the State within ten (10) days after the State's disclosure. **Both parties shall furnish items disclosed and required to be furnished under this Rule within a reasonable time thereafter.**

b. No written motion is required, except:

- (1) To compel compliance under this rule;
- (2) For additional discovery not covered under this rule;
- (3) For a protective order seeking exemption from the provisions of this rule; or,
- (4) For an extension of time to comply with this rule.

c. Although each side has a right to full discovery under the terms of this rule, each side has a corresponding duty to seek out the discovery. Failure to do so may result in the waiver of the right to full discovery under this rule.
